



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2022-1115; Airspace Docket No. 22-AGL-10]

RIN 2120-AA66

Amendment of V-181 and T-400, and Revocation of V-250 and the Yankton, SD, Low Altitude Reporting Point in the Vicinity of Yankton, SD

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Very High Frequency (VHF) Omnidirectional Range (VOR) Federal airway V-181 and Area Navigation (RNAV) route T-400 and revokes VOR Federal airway V-250 and the Yankton, SD, Low Altitude Reporting Point. The FAA is taking this action due to the planned decommissioning of the VOR portion of the Yankton, SD, VOR/Distance Measuring Equipment (VOR/DME) navigational aid (NAVAID). The Yankton VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program.

DATES: Effective date 0901 UTC, April 20, 2023. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

History

The FAA published a notice of proposed rulemaking (NPRM) for Docket No. FAA-2022-1115 in the *Federal Register* (87 FR 58041; September 23, 2022), amending VOR Federal airway V-181 and RNAV route T-400 and revoking VOR Federal airway V-250 and the Yankton, SD, Low Altitude Reporting Point due to the planned decommissioning of the VOR portion of the Yankton, SD, VOR/DME NAVAID. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

VOR Federal airways are published in paragraph 6010(a), United States Area Navigation Routes (T-routes) are published in paragraph 6011, and Domestic Low Altitude Reporting Points are published in paragraph 7001 of FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The Air

Traffic Service (ATS) route and low altitude reporting point actions listed in this document will be published subsequently in FAA Order JO 7400.11.

Differences from the NPRM

Subsequent to the NPRM, the FAA published a rule for Docket No. FAA-2022-0248 in the *Federal Register* (87 FR 64695; October 26, 2022), amending VOR Federal airway V-181 by removing the airway segment between the Sioux Falls, SD, VOR/Tactical Air Navigation (VORTAC) and the Fargo, ND, VOR/DME. That airway amendment, effective December 29, 2022, is included in this rule.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the ADDRESSES section of this document. FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by amending VOR Federal airway V-181 and RNAV route T-400 and revoking VOR Federal airway V-250 and the Yankton, SD, low altitude reporting point. The ATS route and low altitude reporting point amendments and revocations are due to the planned decommissioning of the Yankton, SD, VOR. The ATS route and low altitude reporting point actions are described below.

V-181: V-181 extends between the Kirksville, MO, VORTAC and the Sioux Falls, SD, VORTAC; and between the Fargo, ND, VOR/DME and the Grand Forks, ND, VOR/DME. The airway segment overlying the Yankton VOR/DME between the Norfolk, NE, VOR/DME and the Sioux Falls, SD, VORTAC is removed. As amended, the airway is changed to extend between the Kirksville, MO, VORTAC and the Norfolk, NE, VOR/DME and between the Fargo, ND, VOR/DME and the Grand Forks, ND, VOR/DME.

V-250: V-250 extends between the O'Neill, NE, VORTAC and the Yankton, SD, VOR/DME. The airway is removed in its entirety.

T-400: T-400 extends between the LLUKY, NE, waypoint (WP) and the ZOSAG, MN, WP. The IMUPP, SD, WP on the route is replaced with the FIITS, SD, WP to define the route crossing point between T-400 and T-405. The full T-400 route description is listed in the amendments to part 71 as set forth below.

Yankton, SD: The Yankton, SD, low altitude reporting point is removed.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of amending VOR Federal airway V-181 and RNAV route T-400 and revoking VOR Federal airway V-250 and the Yankton, SD, Low Altitude Reporting Point, due to the planned decommissioning of the VOR portion of the Yankton, SD, VOR/DME NAVAID, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. §§ 4321 et seq.) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies

and Procedures, paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); paragraph 5-6.5b, which categorically excludes from further environmental impact review actions regarding establishment of jet routes and Federal airways (see 14 CFR § 71.15, Designation of jet routes and VOR Federal airways); paragraph 5-6.5i, which categorically excludes from further environmental impact review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima; and paragraph 5-6.5k, which categorically excludes from further environmental impact review the publication of existing air traffic control procedures that do not essentially change existing tracks, create new tracks, change altitude, or change concentration of aircraft on these tracks. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71--DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6010(a). Domestic VOR Federal airways.

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V-181 [Amended]

From Kirksville, MO; Lamoni, IA; Omaha, IA; to Norfolk, NE. From Fargo, ND; to Grand Forks, ND.

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V-250 [Removed]

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Paragraph 6011. United States Area Navigation Routes.

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T-400 LLUKY, NE to ZOSAG, MN [Amended]		
LLUKY, NE	WP	(lat. 42°29'20.26"N., long. 098°38'11.44"W.)
FIITS, SD	WP	(lat. 42°55'06.67"N., long. 097°23'06.12"W.)
DURWN, MN	WP	(lat. 43°38'48.91"N., long. 095°34'55.87"W.)
MEMCO, MN	WP	(lat. 44°13'11.42"N., long. 093°54'45.23"W.)
ZOSAG, MN	WP	(lat. 44°49'30.74"N., long. 093°26'34.08"W.)

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Paragraph 7001. Domestic Low Altitude Reporting Points.

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Yankton, SD **[Removed]**

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Issued in Washington, DC, on January 24, 2023.

Brian Konie,
Acting Manager, Airspace Rules and Regulations.

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